

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Atty. Dkt. No:** 5760-16800  
**Application No:** 10/086,597  
**Filing Date:** February 28, 2002  
**Inventor(s):**  
     Thomas W. Lanzatella, Graham  
     Bromley and Weibao Wu  
**Title:** SYSTEM AND METHOD  
         FOR VALIDATED  
         INDIRECT DATA BACKUP  
         USING OPERATING  
         SYSTEM I/O OPERATIONS  
**Examiner:** Cam Y T Truong

Group/Art Unit: 2162

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

B. Noël Kivlin  
Registered Representative

September 2, 2005  
Date

Signature \_\_\_\_\_

**REQUEST FOR CONTINUED EXAMINATION**  
**REQUEST TRANSMITTAL**  
(under 37 CFR § 1.114)

This is a request for continued examination under 37 C.F.R. § 1.114 of application number 10/086,597, filed on February 28, 2002, entitled SYSTEM AND METHOD FOR VALIDATED INDIRECT DATA BACKUP USING OPERATING SYSTEM I/O OPERATIONS.

**Inventors(s):** Thomas W. Lanzatella, Graham Bromley and Weibao Wu

Examiner: Cam Y T Truong

Group/Art Unit: 2162

Assignee: VERITAS Software Corporation

Recorded at Reel 12657, Frame 0162

Correspondence Address in Prior

B. Noël Kivlin

**Application:**

Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.

P.O. Box 398

Austin, Texas 78767-0398

## **Application Elements**

1. ☒ **Filing Fee**  
A Fee Authorization Form authorizing a deposit account debit for the RCE fee required under 37 C.F.R. § 1.17(e) is enclosed.
2. ☐ **Information Disclosure Statement (IDS)**  
☐ Copies of IDS Citations
3. **Amendments**  
☐ An amendment is enclosed.  
☒ Enter the unentered amendment previously filed on August 2, 2005 under 37 C.F.R. § 1.116.  
☐ Please consider the arguments in the response filed on \_\_\_\_\_ under 37 C.F.R. § 1.116.  
☐ Please consider the arguments in the Appeal Brief or Reply Brief filed on \_\_\_\_\_.
4. ☐ Please enter the enclosed affidavits or declarations.
5. ☒ **Return Receipt Postcard**
6. ☐ **Petition under 37 C.F.R. § 1.136 for Extension of Time**
7. ☐ **Other:**

09/08/2005 YPOLITE1 00000027 501505 10086597

01 FC:1801

790.00 DA

☒ New Correspondence address

B. Noël Kivlin  
Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.  
**Customer ID #35690**  
P.O. Box 398  
Austin, Texas 78767-0398  
Phone: (512) 853-8800 Fax: (512) 853-8801

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions.

The Commissioner is hereby authorized to charge any other fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5760-16800.

Signature

Name

Registration No.

Date

  
B. Noël Kivlin

33,929

September 2, 2005



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Application No: 10/086,597  
Filing Date: February 28, 2002  
Inventor(s): Thomas W. Lanzatella, Graham  
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B. Noël Kivlin  
Registered Representative

September 2, 2005  
Date

Signature \_\_\_\_\_

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The Commissioner is hereby authorized to charge the following fee to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 501505/5760-16800:

Filing Fee – Request for Continued Prosecution:	\$790.00
Extension of Time:	
Total:	\$790.00

Attorney Docket No.: 5760-16800

The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number.

Signature  
Name  
Registration No.  
Date

B. Noël Kivlin

33,929

September 2, 2005